

REMARKS

By this amendment, claims 1-16, 19, and 20 have been cancelled, claims 17 and 18 have been amended, and claims 21-26 have been added. Accordingly, claims 17, 18, and 21-26 are in the application and subject to examination.

Claims 17 and 18 have been amended to set forth limitations that distinguish the invention from the prior art cited by the examiner. Claims 21-26 have been added to further define the invention. Support for the amendments that have been made to claims 17 and 18, and for new claims 21-26, can be found in the specification at pages 7 and 9-10, and in the drawings, particularly FIG. 8.

Claims 17 and 18 have been rejected as allegedly being anticipated by the patent to Bjerknes, U.S. 2,854,132. Claim 18 also has been rejected as allegedly being anticipated by the published patent application of Carlino, U.S. 2003/0000865. Applicant traverses the rejection of these claims and requests reconsideration.

As noted in the specification at page one, pillboxes in a wide variety of sizes and shapes have been known for many years. Unfortunately, currently available pillboxes often are large, cumbersome objects that are difficult to transport conveniently. Recently, portable electronic devices ("PEDs") such as cellular telephones and personal digital assistants have become widely available. PEDs purposefully are compact and portable, and usually are carried by their owners at all times. However, PEDs are used only for such purposes as aural communication, mathematical calculations, and so forth. The present invention provides a pillbox that can be attached to a PED and carried therewith. The pillbox according to the invention is compact, inexpensive, and readily usable. One feature of the invention that will be useful to consumers is the

capability of the pillbox to be attached to an existing PED without modification of the PED. Another feature of the invention is the capability to provide software for the PED that will provide reminders to a user to take medication at prescribed intervals or times.

The foregoing features of the invention are set forth in claims 17 as currently amended. Claim 17 calls for a pillbox for attachment to a PED comprising a body portion that includes a generally flat wall that lies in a plane. The flat wall has opposed sides. The body portion is attached to the PED by clips that project from the opposing sides. A door defines a compartment within which pills can be disposed, the door being movable relative to the body portion to selectively open and close the compartment. Also, the claim calls for a connection between the door and the body portion.

Claim 18 is dependent upon claim 17, and specifies that the connection between the door and the body portion is defined by a pair of spaced tracks that are included as part of the wall of the body portion, the door being movable back and forth along the tracks in a plane generally parallel with the plane in which the wall lies.

Claims 21-26 have been added to further define the invention. Claim 21 is dependent upon claim 17 and adds the limitation that the alarm software can be included as part of the PED. Claim 22 is dependent upon claim 18 and adds the limitation that the door includes a pair of indents to facilitate the door being grasped by a user. Claim 23 is dependent upon claim 18, and states that the door is generally rounded, and includes a pair of indents to facilitate the door being grasped by a user. Claim 24 also is dependent upon claim 18, and states that the door is generally rounded, and has a flat surface that stabilizes the PED when the PED is placed on its back on a flat surface. Claim 25 is a detailed claim that includes all of the features of

the invention discussed herein, except the software. The software is included as a further limitation in claim 26, which is dependent upon claim 25.

The patent to Bjerknes does not disclose the foregoing features of the claimed invention and therefore cannot anticipate claims 17 and 18 as alleged by the examiner. Similarly, the patent application of Carlino does not disclose the foregoing features of claim 18 and therefore cannot anticipate claim 18 as alleged by the examiner.

The Bjerknes patent does not disclose a pillbox, as claimed. Rather, the patent discloses a key case that realistically could not be used as a pillbox. The sliding drawer 10 contains an upwardly arched leaf spring 28 that would prevent medications from being placed in the drawer 10. For example, as shown in FIG. 3, medications such as capsules or tablets would be crushed when the drawer 10 is inserted into the container defined by parts 1 and 2.

While Bjerknes discloses protrusions 3, lugs 7, and pins 8 that project from the sides of the container, these elements are connected to a wristlet 9, not to a PED. In other words, the Bjerknes device is similar to a wristwatch, not to a portable electronic device such as a telephone, as claimed. Another deficiency of the Bjerknes device is its failure to disclose that the connection between the drawer 10 and the parts 1, 2 are defined by a pair of spaced tracks that are included as part of the wall of a body portion. The drawer 10 appears to slide back and forth without the benefit of tracks as set forth in claim 18, its outward movement being limited by the interaction between a slot 12 and a key 13 (FIG. 3 and column 1, lines 49-53). Leaf springs 16 (FIG. 2) interact with the sides of the container to lock the drawer 10 in a closed position, but these springs 16 cannot be said to constitute tracks as called for by the claim in question.

In effect, Bjerknes discloses a box having a sliding drawer that can be carried on one's person in the manner of a wristwatch. This construction is considerably different than that claimed. It certainly does not anticipate the claimed invention.

With particular reference to claim 17 and the published patent application of Carlino, Carlino discloses a cosmetic case 12 for use with a PED, but not a pillbox as claimed. Carlino's case 12 is connected to a PED by means of parallel lip members 22 that are included as part of the PED. Parallel channels 26 are included as part of the case 12. The interaction of the lip members 22 and the channels 26 permits the case 12 to be attached to the PED in a sliding manner. In contrast, claim 17 calls for clips to project outwardly from the opposing sides of a flat wall. The claimed construction does not limit the connection between the pillbox and the PED to be made in a sliding manner.

Since Carlino's lip members are attached to the PED, they either must be included as part of the initial manufacture of the PED (thereby requiring a special PED case), or they must be added later by the consumer (presumably by the use of adhesive). The present invention is superior because it does not require that the PED be specially manufactured or modified in any way. No lip members need to be glued to the PED. The consumer can attach the claimed pillbox to an existing PED merely by applying the claimed clips to the sides of the PED. The foregoing differences between the Carlino published application and the claimed invention preclude a finding that Carlino anticipates the claimed invention.

Claims 21-24 have been discussed previously. They include features which clearly are not anticipated by either Bjerknes or Carlino. Since these claims are

dependent on either claim 17 or 18, and therefore include the limitations thereof, these claims likewise should be allowable. Similarly, claims 25 and 26 are detailed claims that should be allowable.

CONCLUSION

The patents relied on by the examiner fail to anticipate the invention claimed by applicant. The application now should be in condition for allowance. If the Examiner has any remaining questions, she is requested to telephone the undersigned attorney in order to expedite prosecution of the application.

Respectfully submitted,

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